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6 *Attorneys for Relator STF, LLC*

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8 **UNITED STATES DISTRICT COURT**
9 **NORTHERN DISTRICT OF CALIFORNIA**

10 UNITED STATES OF AMERICA *ex rel.* STF,
11 LLC, an organization; STATE OF
CALIFORNIA; *ex rel.* STF, LLC, an
12 organization,

13 Plaintiffs,

14 v.

15 VIBRANT AMERICA, LLC, a Delaware
limited liability company,

16 Defendants.
17

Case No. 3:16-cv-02487-JCS

**JOINT UPDATED CASE MANAGEMENT
CONFERENCE STATEMENT; NOTICE
OF PROPOSED SETTLEMENT; AND
REQUEST FOR CONTINUANCE**

Date: September 10, 2021

Time: 2:00 p.m.

Judge: Hon. Joseph C. Spero

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28 **JOINT UPDATED CASE MANAGEMENT CONFERENCE STATEMENT; NOTICE OF PROPOSED
SETTLEMENT; AND REQUEST FOR CONTINUANCE**

Case No. 3:16-cv-02487-JCS

**JOINT UPDATED CASE MANAGEMENT CONFERENCE STATEMENT; NOTICE
OF PROPOSED SETTLEMENT; AND REQUEST FOR CONTINUANCE**

Relator STF, LLC (“Relator”), and Vibrant America, LLC (“Vibrant” or “Defendant”), submit this Joint Updated Case Management Conference Statement, Notice of Proposed Settlement, and Request for Continuance.

At the second mediation session with Martin Quinn on July 12, 2021, the Parties reached a comprehensive settlement of all claims in this action, subject to approval by the United States Department of Justice (DOJ), California Attorney General (CA DOJ), and California Department of Insurance (CDI). The Parties executed a term sheet on the day of the mediation, and subsequently negotiated two draft long-form settlement agreements: One covering claims under the federal False Claims Act, subject to DOJ approval, and the other covering claims under the California False Claims Act and Insurance Fraud Preventions Act, subject to approval by CDI and CA DOJ. Both settlement agreements were transmitted to the government in mid-July, and the Parties are awaiting feedback or approval.

In the Parties’ experience, the timeline for approval of *qui tam* settlement agreements from the government entities varies dramatically, but typically ranges from 30 to 90 days.

The Parties accordingly request that the Case Management Conference be continued for 30 days, to October 8, 2021 or the first available date thereafter, by which time the Parties hope to have received approval from the government, or a more definitive timeline for expected government approval.

Dated: September 3, 2021

COTCHETT, PITRE & McCARTHY LLP

By: /s/ Justin T. Berger
JUSTIN T. BERGER
BETHANY M. HILL

Attorneys for Relator

[Additional signatures on next page.]

1 Dated: September 3, 2021

FOLEY & LARDNER LLP

2 By: /s/ Lori A. Rubin
3 LORI A. RUBIN

4 *Attorney for Defendant Vibrant America, Inc.*

5 Dated: September 3, 2021

SSL LAW FIRM LLP

6 By: /s/ Thomas S. Brown
7 THOMAS S. BROWN

8 *Attorney for Defendant Vibrant America, Inc.*